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November 4, 2021

Via ECF

Magistrate Judge Andrew E. Krause
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

Re: United States v. Brian Downey
Case No. 21-MJ-8628

Dear Magistrate Judge Krause:

I write to respectfully petition the Court to amend two of the conditions of Defendant Brian Downey's pretrial release. Specifically, we respectfully request that the Court amend the travel restrictions, which presently limit Mr. Downey to the Southern and Eastern Districts of New York. We seek to expand the travel restrictions to allow Mr. Downey to travel into Bergen County, New Jersey, which is the County adjacent to his resident county of Rockland, New York. Bergen County is the location of most of the stores Mr. Downey and his wife use, as well as the location of all of his medical providers and pharmacy. His inability to travel to Bergen County has created a hardship, particularly for his wife who must now complete nearly all of the family chores, and has limited his ability to meet with his medical providers.

In addition, we request that the Court lift the pretrial condition imposing a curfew of 9:00 Sunday through Thursday and 11:00 Friday and Saturday. Mr. Downey is the primary caretaker for his elderly mother, who has needed his assistance several times late at night. Due to the curfew, Mr. Downey was unavailable to assist his mother. In addition, Mr. Downey's job responsibilities require that, on occasion, Mr. Downey must leave his residence when called and travel to Town Hall to open the property. He has been unavailable to do so due to the curfew.

I have spoken with AUSA Steven Kochevar and PTSO Andrew Abbott regarding these two modifications. Neither has any objection to the modifications as requested.

Thank you for your consideration of this request.

Very truly yours,

Andrew C. Quinn


Andrew C. Quinn, Esq.

ACQ:nc
cc: AUSA Steven Kochevar
PTSO Andrew Abbott

APPLICATION GRANTED. Mr. Downey's travel restrictions are modified to permit travel to Bergen County, New Jersey, and the the curfew condition is terminated. The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 13.

Dated: November 4, 2021

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge